

THE CITY OF DEXTER  
REGULAR CITY COUNCIL MEETING  
MONDAY, JUNE 22, 2015

**A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:30 PM by Mayor Keough at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan.

<b>B. ROLL CALL:</b> Mayor Keough	J. Carson	D. Fisher-arr 7:35 PM
	J. Knight	J. Semifero
	J. Smith	R. Tell

Also present: Courtney Nicholls, City Manager; Michelle Aniol, Community Development Manager; Carol Jones, Interim City Clerk; Justin Breyer, Assistant to the City Manager; Scott Munzel, DDA and City Attorney; residents and media.

**C. APPROVAL OF THE MINUTES**

1. Regular City Council Meeting – June 8, 2015
2. City Council Work Session – June 10, 2015

Motion Tell; support Smith to approve the minutes of the Regular City Council Meeting of June 8, 2015 and the City Council Work Session of June 10, 2015 as presented.

Unanimous voice vote approval with Council Member Fisher absent.

**D. PREARRANGED PARTICIPATION**

None

**E. APPROVAL OF THE AGENDA**

Motion Tell; support Smith to approve the agenda with the one substitution:

- Replacement of Page 45, Major and Local Street Funds

Unanimous voice vote approval with Council Member Fisher absent.

**F. PUBLIC HEARINGS**

1. 2015-2016 Water & Sewer Rate Ordinance

Mayor Keough opened the Public Hearing at 7:33 PM.

Robert Murphy of 3713 Bristol Drive, Dexter inquired about the rate increase and the increase in phosphorus levels under the extra strength surcharge/industrial cost recovery section of the ordinance. He noted the percentages that the water and sewer rates have increased over the last eight years and he commented that he could hear the proceedings as he has not always been able to do so in the past.

Mayor Keough closed the Public Hearing at 7:36 PM.

Consideration of: Water & Sewer Rate Ordinance

Motion Smith; support Semifero to move the Ordinance setting the Water and Sewer Rates effective July 1, 2015 for fiscal Year 2015-2016.

Ayes: Carson, Fisher, Knight, Semifero, Smith, Tell and Keough

Nays: None

Motion carries

## **G. NON-ARRANGED PARTICIPATION**

Robert Murphy of 3713 Bristol Drive, Dexter inquired about a previous comment from Council Member Tell regarding placing a moratorium on second water meters. Discussion ensued as to what this could mean to the City.

## **H. COMMUNICATIONS:**

1. Upcoming Meeting List
2. Sign Calendar

Council Member Smith noted that the Annual Meeting for the Dexter Area Historical Society would be held on June 28 at 2 PM and that the next DAHS Board meeting will be held on July 9 at 7 PM at the Dexter Area Museum.

## **I. REPORTS**

1. Public Services Superintendent – Dan Schlaff

Mr. Schlaff provided a written report only in the packet.

- Council acknowledged employee Todd Viebahn on receiving his S5 and D5 Water Licenses.

2. Community Development Manager – Michelle Aniol

Ms. Aniol submits her report as per packet. Ms. Aniol gave the following updates:

- The Request for Qualification (RFQ) and Request for Proposal (RFP) for the Retail Market Study are in progress due on July 1 and June 30 respectfully..

- Planning Commission at their July 6 meeting will be looking at a preliminary site plan of an office space at the corner of Dan Hoey and Lexington Drive.
- Have a request for outdoor seating from the Beer Grotto and Riverside Café.
- Received a request from Michigan State University to include the recent RFP in a booklet they are publishing.
- Went to the DexTech facility because of a noise complaint from some adjacent residents. Did not find an issue with the noise but the parking lot lights are over 22 feet tall and they will adjusted by the contractor.
- Also had a noise complaint of the air conditioning unit at the Dexter Wellness facility. They do not violate the noise level, however they do have a generator which is not located in the approved building plan. The noise level for this will be tested and they may need to relocate it.

### 3. Boards, Commissions. & Other Reports-“Bi-annual or as needed”

None.

### 4. Subcommittee Reports

#### *Facilities*

- Information regarding facilities is provided in the Mayor’s written report.
- Council Member Smith spoke about four members of the Facility Committee would like to set aside Concept A (Fire, Sheriff and City) in the same locations and the other three members of the committee were OK with leaving that option open.
- Other questions asked were who will provide the Fire run data and is the Schulz Building an option with the Facility Committee? (Partners in Architecture or OHM is the answer to the first and to the second, not per se but looking at a different space is an option.)
- Discussion followed.

#### *Road Plan*

- Need to select dates for Public Meeting to describe to residents as to what is happening with the repairs this season and in particular to those residents in Westridge and Huron Farms. Discussion followed.

### 5. City Manager Report

Ms. Nicholls submits her report as per packet. Ms. Nicholls gave the following verbal updates:

- The billboard use for the City will be split up into two months, August and September, this year.
- Would like to advertise for the open position at the Waste Water Treatment plant.
- Filing deadline for the November ballot is July 21.

### 6. Mayor’s Report

Mr. Keough submits his report as per packet. Mr. Keough gave the following updates:

- Received a call from Jim Haeussler to have coffee and he wants to provide information on a recent property purchase.
- Question – Have the consultants been selected for the Baker/Dan Hoey/Shield Road Project? (No one has been selected)

#### **J. CONSENT AGENDA**

1. Consideration of: Bills and Payroll in the amount of \$289,935.17
2. Consideration of: Appointments to the Art Selection Committee

Motion Fisher; support Smith to approve items 1 and 2 of the Consent Agenda.

Unanimous voice vote approval.

#### **K. OLD BUSINESS-Consideration and Discussion of:**

1. Consideration of: FY 2015-2016 Millage Rates and Administrative Fee

Motion Semifero; support Carson be it resolved that the City of Dexter Fiscal Year 2015-2016 Millage Rates of 14.0562 mills and Administrative Fee of 0.8% be adopted.

Ayes: Fisher, Semifero, Smith, Tell, Carson and Keough

Nays: Knight

Motion carries 6 to 1

2. Consideration of: General Appropriations Act to Adopt the Fiscal Year 2015-2016 Budget

Motion Semifero; support Smith be it resolved that the City of Dexter Fiscal Year 2015-2016 General Appropriations Act be adopted.

Ayes: Knight, Semifero, Smith, Tell, Carson, Fisher and Keough

Nays: None

Motion carries

#### **L. NEW BUSINESS-Consideration of and Discussion of:**

1. Consideration of: Recommendation from Planning Commission to Approve the Combined Site Plan Request from Variety Die & Stamping Located at 2221 Bishop Circle East

Motion Semifero; support Carson based upon the information received from the applicant, reflected in minutes of this meeting, and in conformance with Section 21.04(E)6 of the City of Dexter Zoning Ordinance, as well as the recommendation of the Planning Commission, the City Council approves with conditions the combined site plan for the Variety Die and Stamping building addition dated 5-27-2015. In making this determination, the following additional conditions apply:

- Recommendation in the Planning Consultants review letter, dated June 15, 2015.
- Recommendation in the Engineering Consultants review letter, dated June 15, 2015.
- Recommendations in the Engineering Consultants Pre-construction correspondence, dated June 12, 2015.
- Recommendations in the DAFD review letter dated, June 6, 2015.

Ayes: Semifero, Smith, Tell, Carson, Fisher, Knight, and Keough

Nays: None

Motion carries

2. Consideration of: Moratorium Resolution Regarding Mobile Food Carts and Special Transitory Food Units Operating Within the City of Dexter

Motion Smith; support Tell therefore be it resolved effective upon adoption of this resolution and for a period of six (6) months from the date hereof, a moratorium is hereby established on the consideration, review or action by all City entities, officials, employees and/or agents on the applications, proposals, requests, permits, regarding Mobil Food Carts and Special Transitory Food Units in the City. City staff is directed to study and make specific recommendations to City Council for an ordinance that protects the public's health, safety and general welfare with regard to the operation of Mobile Food Carts and Special Transitory Food Units. An aggrieved property owner or business petitioner may request and be entitled to a hearing before the City Council for the purpose of attempting to demonstrate that the moratorium will preclude all viable economic use of their property or otherwise violate applicable provisions of state or federal law and/or conduct a comprehensive analysis of its activities and demonstrate that there are not significant detrimental effects from the operation on local health, safety, and general welfare. Said petitioner shall, in writing and directed to the City Clerk, request a hearing that describes the grounds for the request. The hearing shall be held at a regular City Council meeting within thirty (30) days of the receipt of the request. Upon concluding a hearing, the City Council shall determine whether the petitioner has made the required demonstration and if so, shall grant relief from the moratorium.

Ayes: Smith, Tell, Carson, Fisher, Knight, Semifero and Keough

Nays: None

Motion carries

3. Consideration of: Freedom of Information Act Policy

Motion Semifero; support Fisher to approve the Freedom of Information Act Policies and Guidelines to become effective July 1, 2015.

Ayes: Tell, Carson, Fisher, Knight, Semifero, Smith and Keough

Nays: None

Motion carries

4. Consideration of: Resolution for Outgoing Fire Chief Loren Yates

Motion Tell; support Smith to approve issuing a Proclamation from the City of Dexter recognizing the service of outgoing Fire Chief Loren Yates.

Ayes: Fisher, Knight, Smith, Tell, Carson and Keough

Nays: None

Absent: Semifero

Motion carries

5. Consideration of: DDA Refunding Bond Resolution

Motion Carson; support Tell be it resolved that the City of Dexter approves the Dexter Downtown Development Authority's refunding Bond Resolution in an amount not to exceed \$1,500,000.

Ayes: Knight, Semifero, Smith, Tell, Carson, Fisher and Keough

Nays: None

Motion carries

6. Consideration of: 2014-2015 Budget Amendments

Motion Semifero; support Carson to approve the 2014-2015 Budget Amendments as presented.

Ayes: Semifero, Smith, Tell Carson, Fisher, Knight and Keough

Nays: None

Motion carries

7. Discussion of: Agreement with DTE

A draft dated June 15, 2015 for the DTE Agreement was presented as a framework and beginning step for the removal of the sub-station on Broad Street. The DDA as approved this agreement. Discussion followed.

**M. COUNCIL COMMENTS**

Tell Would like to apply as a resident to the Art Selection Committee

Fisher None

Semifero None

Jones Would like to see a Resolution or Proclamation honoring the 125<sup>th</sup> Anniversary of the Dexter Area Fire Department.

Smith None

Knight None

Carson None

**N. NON-ARRANGED PARTICIPATION**

None

**O. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PENDING**

**LITIGATION IN ACCORDANCE WITH MCL 15.268**

Motion Carson; support Smith to go into Closed Session for the purpose of discussing pending litigation in accordance with MCL 15.268 at 8:47 PM.

Ayes: Smith, Tell, Carson, Fisher, Knight, Semifero and Keough

Nays: None

Motion carries

Motion Smith; support Fisher to leave Closed Session at 9:30 PM.

Ayes: Tell, Carson, Fisher, Knight, Semifero, Smith and Keough

Nays: None

Motion carries

**P. ADJOURNMENT**

Motion Carson; support Smith to adjourn at 9:31 PM.

Unanimous voice vote approval.

Respectfully submitted,

Carol J. Jones  
Interim Clerk, City of Dexter

Approved for Filing: \_\_\_\_\_